

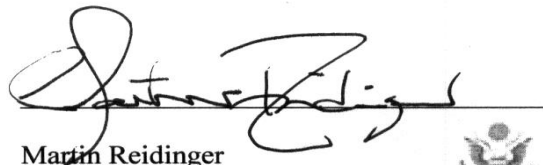
The Order in Barnard, therefore, is incorporated herein, and the current motion will be disposed of in accord therewith.

ORDER

IT IS, THEREFORE ORDERED that the Motion to Dismiss [Doc. 9] is **GRANTED IN PART** and **DENIED IN PART**. Specifically, with respect to the Plaintiffs' claim for negligent misrepresentation, the Motion to Dismiss [Doc. 9] is **GRANTED** and this claim is **DISMISSED**. In all other respects, the Motion to Dismiss [Doc. 9] is **DENIED**.

IT IS SO ORDERED.

Signed: September 30, 2013


Martin Reidinger
United States District Judge

